

SENATE BILL 777

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 11, Part 6, relative to the use of force to  
defend business property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-11-611, is amended by adding the following new subsection (c) and by relettering subsequent subsections accordingly:

(c) Any business owner or person employed to protect or guard a business who uses force intended or likely to cause death or serious bodily injury within the owner's place of business, employment or workplace or immediately surrounding such place of business is justified in the use of such force and is presumed to have held a reasonable fear of imminent peril of death or serious bodily injury to self, employees or customers when that force is used against another person, who unlawfully and forcibly enters, attempts to unlawfully and forcibly enter or has unlawfully and forcibly entered the place of business, and the person using the force knew or had reason to believe that an unlawful and forcible entry has occurred or was imminent to occur. The justification and presumption conferred by this subsection (c) shall apply regardless of whether the person against whom force is used was inside or outside the place of business at the time the force was used.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.